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Book 5 P5

# AN INFAMOUS RECORD.

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**W. J. SMITH, M.C. (?)**

Eighth District of Tennessee,

*The man who bolted the Republican Nomination, and by  
fraud and rascality, defeated the Election of*

**Hon. D. A. NUNN.**

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His Legislative and Political Antecedents,

Bribery, Frauds and Extortion.

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**Can a Republican Congress afford  
to sustain such a man?**

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The following letters of Col. Don Piatt, have been  
very generally copied by the Press, West and  
South, and are now printed in this form  
for the information of Members  
of Congress.

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Every member of the House who is opposed to Imposters and  
Charlatans should read these Letters.



# BRIEF ACCOUNT OF THE ANTECEDENTS OF W. J. SMITH, (M. C.?)

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*From the Washington correspondence of the Cincinnati Commercial.*

WASHINGTON, December 20, 1869.

## A SPECIMEN BRICK.

If any half dozen spectators in the gallery of the House were called upon, separately, to point out, in the crowd of members below, the one that, from his get-up, gave the best evidence of being there through some violent eruption, or mud volcano, in our social and political formation, each would select a queer, little, slender creature, who, continually shambling about, exhibits a body that came into the world only half made up, and that so lamely that even Moses and Son fail to give it the semblance of a man.

His small, beardless face has but one expression, that is of low cunning. His head of dry, withered hair suggests poverty of soil, and cries out for a top dressing of some rich fertilizer. It is a cross between Uriah Heep and Tim Dodge. His manner carries in it an humble apology for being alive, and his movements suggest moral irregularity.

This is the Honorable W. J. Smith, of the Eighth District of Tennessee, commonly called, where he is best or worst known, "Old Jerusalem." His political career, lately investigated and about to be published by the House Committee on Elections, is one of the most extraordinary ever known in either fiction or fact, and goes to show what the South has brought upon itself by the wicked and unholy war against the best government in the world.

Where Old Jerusalem originated is unknown. There is a belief prevalent that he was ejected in a moment of extreme nausea from the State of Vermont. But I am unwilling that the Mountain State should be held responsible for such an evil. As seven cities claimed the honor of being the birth-place of Homer, so thirty-six States stand prepared to make affidavit that Old Jerusalem did not originate with them.

The first we know of him, positively, he was a peddler of peanuts and gum-drops on the Memphis and Charleston railroad. It was said that he had failed in the house and sign painting business, and a forlorn and dejected man was said to be about, once a partner in the business, but after the only remaining asset.

It was further rumored, that at the Grand Junction Old Jerusalem held, owned and occupied a half acre devoted to horticultural products, commonly called a nursery. For this I cannot vouch, and must say that it is very doubtful. But for the peanuts and gum-drops I can answer, as I have conversed with intelligent and honest people, who have suffered from seeing and dealing with the trader in that capacity.

When the war broke out Old Jerusalem turned up before the world as quartermaster of the Sixth West Tennessee Cavalry. He was a fitting quartermaster for this gallant body of gentlemen, who, pledging their lives, fortunes, and sacred honor to the holy cause, asked nothing in return, being eminently capable of living on the enemy, and failing in that, persuading, with their arms, a livelihood out of their friends. Old Jerusalem would have preferred being sutler, but that useful office was abolished by a promiscuous cleaning out of the establishment in about fifteen minutes by the gallant gentlemen of the spurs.

No learned and elaborate historian has appeared to give us Tennessee in the war, so that I am at a loss in putting to record the daring deeds of this renowned regiment. I am inclined to believe, however, that it was engaged in the less dangerous, but more arduous duty of supporting itself. We may gather what this amounted to when we learn, as we do through the records of the War Department, that it required the rations of twenty-two men to support the family of the Quartermaster alone. It is true that some absurd old pumps, who figured as Brigadier and Major Generals, objected to this informal mode of proceeding, and procured the arrest of the Venerable Jerusalem, and charged him with conduct becoming a convict, and but for the strange loss of the papers, at Nashville, this patriotic Solon would now, in all probability, be in durance vile, instead of serving as a light from Tennessee in the Congress of the United States.

Escaping the absurd formalities of military law, our hero afterward figured as Major of the regiment, and, in the absence of his superior officers, signed himself, luminously, acting Lieutenant Colonel. As acting Lieutenant Colonel, however, he continued his peculiar system of warfare, even to robbing a church. But the



church was that of the Methodist Church South, long before given over to the devil, and, therefore, a proper subject for a forced loan.

The war being ended, and the great State under process of reconstruction, sanctioned, guided and controlled by the pious Brownlow, Old Jerusalem had himself returned to the Legislature by his own gallant regiment, and appeared in that august body as Smith of Hardeman.

### AS A LEGISLATOR.

He loomed up larger as a law-maker than he had as a military law-breaker. The bills he introduced were numerous, and looking to the public good generally, kept Old Jerusalem's interest in view all the time.

One bill, passed to a law, created an immense freight company for the city of Memphis. Memphis had suffered during the war to such an extent that she was actually without a freight company. Smith, of Hardeman, made one. It was immense. It was so great that no other company was thought to be necessary—and this charter said so. It ruled out all others. An old woman could not send home a basket of potatoes by any other means than the great Memphis Freight Company.

For this far-seeing and patriotic effort Old Jerusalem received the recompense of great reward in the shape of twenty five thousand dollars worth of stock. Unfortunately for the old festive cuss, the courts intervened, and knocked the great company endwise. The stock collapsed, and the venerable Smith considered himself an ill-used man.

His next move was to augment the fare on the Memphis Street Railroad from five to ten cents. For this he received the pitiful sum of five thousand dollars. He then procured the passage of a law incorporating a company—the old Memphis Freight Company, mind—that gave it possession of all the roads and the bridges thereon leading into Memphis, with the right to repair them if said company so wished; and at any rate forcing it to charge toll. Thus roads made and bridges built by the people were ingeniously put in the hands of Smith, an old partner named Merriman and one Slack, a brother-in-law, without the expenditure of a cent. Of course the company obeyed the law and collected toll, with exemplary activity. This was extended to foot passengers. Venerable colored persons who had traversed these routes from early child-

hood free, were called upon for their ten cents, and not allowed to pass without this small amount of fractional currency.

The Memphis papers made themselves perfectly absurd by protesting against this beautiful practice. And they even went so far as to get pathetic over one old Gaberlungy who tried to pass a bridge one wintry night, and not having the necessary dime, was driven off. The poor old creature, objecting to freeze to death so near home, attempted to wade the river and was drowned.

His body was fished out a few day after, with his grey eyes staring at the pitiless world as if very much astonished, and his old, withered hands frozen above his head, as if the ridiculous old creature had been calling upon God to do something about it. Served him right. He ought not to have tried to evade the law and swindle the company.

He was so useful to the sinful and stupid city of Memphis as the member from Hardeman, that at the next election he was returned as Senator from that rebellious place. Memphis was unhappy, of course. But I hold that Old Jerusalem is sent as a punishment to the rebellious and stiff-necked sinners. From the State Senate of Tennessee to the Congress of the United States is but one step, for such a Smith. And here he is with his seat assailed—contested, it is called—by another man, who claims to be more duly elected than Old Jerusalem.

#### AS A CLAIMANT.

The biography of this remarkable man would be incomplete without reference to his wonderful talent as a claimant.

Toward the close of the war he appeared before General Hurlburt, then in command at Memphis, with a claim of three thousand dollars for damages done him by the rebels. The General's military bowels of compassion were so moved that he issued an order assessing the loss upon the rebels of Hardeman—each mother's son of them to pay in proportion to his worldly goods.

These wicked rebels were assessed and execution had; for that the nursery of Grand Junction had been despoiled. Pianos were seized and sold, household furniture put up, and even pots and pans levied upon, that Old Jerusalem might be rebuilt.

Not content, however, with this raid, Smith, of Hardeman, while in the Legislature, came back with his claim, that had now grown to eight thousand dollars. His tale of woe so moved Gen. George

H. Thomas, that he also issued an order of assessment. But, fortunately for the wicked rebels of Hardeman, the order passed through General Washburn's hands, then in command at Memphis, and he stopped it in *transitu*, calling General Thomas' attention to the fact that said claim, in its infancy, had been satisfied.

Then the Venerable Jerusalem turned his attention to Congress. He sent thither his promising claim, that had now grown to the enormous magnitude of twenty-two thousand dollars. It is a precious document. The nursery and peanut stand at Grand Junction have grown into a plantation. The plantation has been ravaged.

The items are given with painful accuracy, down to two ducks and six chickens. The claim was forwarded to the Hon. Mr. Stokes, and as it seemed to hang drearily on Stokes' hands, Ancient Jerusalem procured his so-called return to Congress, and was scarcely sworn in before the Hon. Stokes handed him the papers, saying: "There's your claim—now prosecute it yourself."

I learn from some members of the Committee on Elections—and from thence I got the details for the pleasing little historical sketch—that the seat claimed is considered shaky, and after the holidays the venerable Jerusalem will probably be turned out, to go, once more, into the useful and ornamental pursuit of peanuts and gumdrops.

D. P.

From the Cincinnati Commercial, January 29th, 1870.

THE ARLINGTON, WASHINGTON, January 26.

I was shown, a few days since, a communication in the Commercial, signed by a number of citizens of Memphis, purporting to be a counter-statement to my biographical sketch of the Hon. W. J. Smith, more familiarly known as "Old Jerusalem." This communication escaped my notice at the time of its publication, and I learn since that much sympathy is excited in the House by what the friends of this member are pleased to term "a wanton attack on a good Union man, who fought gallantly his way up from private to the position of Brevet Brigadier-General."

#### AS TO THE CARD OF SMITH'S FRIENDS.

I beg these sympathetic friends to suspend their generous emotions until they learn a few facts. And the first that I purpose to impress upon their loyal, impulsive bosoms is that I make no wanton attacks on any one. As a journalist, it is my duty to

puncture charlatans and imbeciles to the best of my ability, and it is not with me a labor of love. I do it from a high sense of duty to my party and Government, and can appeal to a better record of loyalty to both than two-thirds of these sensitive sympathizers can show, and, above all, I want them to know that I am certain of my facts before I make a move, involving such consequences as does a personal assault on an honorable member of Congress.

It will be observed that the communication referred to does not pretend to refute any assertion of fact that I made. It is a certificate of good character generally. Now such evidence of good character is applicable only when the charges of misconduct are in doubt. This is not the case in the present instance, and it would be well for the friends to begin by denying at least some of the charges made time and again against the gentleman in question. Then the allegation of good character in general, would be more applicable. It is at best a negative sort of evidence, and means only that the witness knows no ill of the person indicted, and in the case of the venerable Jerusalem this amounts to a confession of not knowing him at all.

### SMITH'S FIGHTING.

As for his fighting, it is the dreary sort of stuff we hear rung in our ears by every rogue who seeks to hide his short-comings under the ample folds of the star spangled banner that has been so often used in that way that it is getting to be very dirty and ragged. Smith was a member of the West Tennessee cavalry, subsequently called the Sixth Tennessee, and if this regiment did any fighting other than that of a bumner campaign among unarmed people for plunder, it was unknown to the officers in command during the war, in Tennessee. The sympathizers can test this by appealing to Gen. Washburn, now on the floor with them, and I will abide by his response. If not satisfied with this they can appeal to Gen. George H. Thomas, or any other general officer in command in that part of Tennessee.

### OLD JERUSALEM'S BRILLIANT CAREER.

On Old Jerusalem's part in this noble style of warfare, we have some records that throw much light on his brilliant career. I hold in my hands a document marked "General Orders No. 168," and dated "Headquarters, Sixteenth Army Corps, Memphis, Tennessee, December 9, 1863," which document purports to be the record of

"a general court-martial which convened at Bolivar, Tennessee, pursuant to Special Orders No. 12, paragraph 12, dated 16th March, 1863, from these headquarters, and of which Col. Robert B. Latham, 106th Illinois Infantry, was President," when W. J. Smith "was arraigned and tried on charges, first, of robbery," and the specifications set forth about as vile a detail of stealing a side-saddle, then a mule, then bed-clothing such as quilts, counterpanes, sheets, etc.; then he robbed a church, then a bale of cotton. All going, I suppose, to make up the property he claimed to have been taken from him by the secessionists, and that grew in value from the \$4000 paid by the order of the General commanding, by a tax collected on the neighborhood, to the enormous amount now pending before Congress.

#### SMITH'S EMBEZZLEMENTS AND INSUBORDINATION.

The second charge is one of "misapplication and embezzlement of public property intrusted to him."

Charge third is of insubordination, while the fourth is of conduct unbecoming an officer and gentleman, and is the rehash of the first, the officers composing the court laboring under the belief that a robbery of a woman of her side saddle, and of a church, is rather ungentlemanly and unofficer-like.

This document is authenticated by the name of "S. A. Hurlbut Major General, and T. H. Harris, U. S. A., Adjutant General," and I am assured by good authority that the reason this old fellow did not find his way into the penitentiary instead of Congress, is that in the trouble that followed the trial, brought about by the unexpected arrival of General Hood and the Confederate army, the case was not followed up to a just conclusion.

So much for Old Jerusalem's military record.

If any one cares to peruse the military part as something to be proud of, he must use due diligence in knocking such shallow pretenders in the head. It is a duty we owe to ourselves and the gallant men who really offered their lives to their country.

#### SMITH'S POLITICAL PAST.

As for this gentleman's political past, I have before me an address issued by "The District Executive Committee to the Republican voters of the Eighth Congressional District of Tennessee," and signed by J. L. Chandler, Robert Medlin, J. W. Purviance, A. K. Davis and S. J. Ireland, and dated October 17, 1868; and this

address publishes to the world the infamous political record of this man, that I gave in brief in my letter, and much of such infamy I did not give for lack of space. Take, for example, his support, while in the Legislature of Tennessee, of Edmund Cooper's bill, that sought indirectly to reduce the colored citizen to his former state of bondage, and which the New York Tribune denounced as "establishing a system which differed from slavery only in degree." As Old Jerusalem is running on sympathy, it would be well for the sympathizers to look up this record, and see how far his past agrees with their present.

Then, in this address, follows the charge that, as a member of the Tennessee Legislature, he sold his vote and influence to the Memphis Freighting Company for twenty-five thousand dollars, paid in stock of that company, that was so infamous in its illegal monopoly that the people sustained the courts in their destruction of it.

#### SMITH'S UNPARALLELED SWINDLE.

The next charge I give in the language of the Committee. "Another plundering scheme, the very creature of Smith, has been thus far more successful. No such swindling project has, within our knowledge, ever before been devised and put in operation under the forms of law in this or any other State. We refer to the Nonconnah Turnpike Company. The original charter was granted May 24, 1866, and empowered the corporation to build bridges and repair the levees across the Nonconnah Creek and bottom, on three of the principal roads leading into Memphis, and to charge heavy tolls, the right extending to a period of twenty-five years. By an amendment to the charter, granted on the 4th of March, 1867, power was given to the Company to take and use dirt, stone and timber within sixty feet on each side from the center of the road, without making any provision whatever for compensation to owners for property taken. The Company, under this charter obtained by Smith, has seized the bridges over the Nonconnah on the Hernando and Horn Lake road, built by Shelby county, and its property, too, just as much as is its jail, and it is levying a toll of ten cents on each foot passenger, and from twenty-five to seventy five cents on teams crossing the bridges on either road. Thus, the property of Shelby county is, under a color of law, seized by a few of its citizens, and made use of to fleece the community. Every poor negro passing Nonconnah to or from Memphis, who crosses on foot

these bridges, built by the county, is charged ten cents. In one instance, a negro wishing to cross the bridge on the Hernando road, and having no money, was refused permission. In his anxiety to cross the stream, he endeavored to ford it, and perished in the attempt. The right to charge these tolls extends, as we before remarked, for a period of twenty-five years, before which time Memphis will probably number two hundred thousand people, and the value of the privilege, if not declared unconstitutional, will be incalculable, as will be the burden of the public. For his services in securing this charter, W. J. Smith receives a gift of one-fourth of its entire interest. Does this look like equal and exact justice to all men?"

#### DON PLATT DISMISSES SMITH AS THE MOST CORRUPT RASCAL IN CONGRESS.

I have not the space or the time to follow this man through his infamous career, from the gumdrops and peanuts of the Grand Junction, to his appearance on the floor of Congress, as a member elect from a civilized community in Tennessee. There is no step that is not tainted with fraud, and no act that has not been left with clear positive proof to sustain the charge of corruption. He entered the army to plunder, and the Legislature to steal, and has used due diligence in the prosecution of both, with no shame to restrain, and no conscience to check him. I have not told half, for there are some charges too foul for my pen or your paper.

We owe it to our party, if not our country, to shake off such creatures. How long we can retain the confidence of the people while crowding such creatures to the front, as trusted agents, if not leaders, any one is prepared to answer. It is a degradation to our Congress, that, under a shallow pretence of loyalty, such members should be retained, and we pollute the war records of our gallant soldiers when we permit such camp followers to draw honors from them.

And here I leave Old Jerusalem; and if the Republican party in Congress can sustain him I can stand it. But I do not want to hear any more of the cry of wanton cruelty and persecution. D. P.

The Cincinnati *Commercial* of the 5th Feb., contained the following letter from Colonel Pitser Miller, relative to the conduct and character of the so-called Hon. Wm. J. Smith, holding a seat in Congress from the Memphis District. There is no man in the State more generally and favorably known than Col. Miller. He is a man

of unquestioned loyalty, a native of East Tennessee, and for many years a resident of the Western District.

BOLIVAR, TENN., February 1, 1870.

*To the Editors of the Commercial:*

I read your correspondent's (Don Piatt) article in regard to Gen. W. J. Smith, and thought the statements were justified by the facts. I then read the article of January 3d, signed by Barbour Lewis, and thirty-eight others, denying all that Don Piatt stated, and lauding him to the skies as a man of fine character, and a hero, and everything that was laudable. I claim to be as good a Union man as anybody, but I like to see fair play. General Smith and myself are on the best of terms, and have always been friendly, but the idea of those thirty-nine citizens saying he had a good character, is remarkable. Most of the thirty-nine who signed it are clever men, but a pressure must have been put on them. I know that one of them, an officer in the Government, told me they tried hard to get him to sign it, and another in high office said he had almost rather have died than sign it, but it looked as if he was obliged to do it.

General Smith's general character is infamous. \* \* \* \*  
During the war he levied a contribution on forty of his neighbors, at Grand Junction of sixty dollars, and when he collected it, he took two, or three or four times as much. He took from some pianos, from some mules, and others bales of cotton. So successful was he in this that, for another pretended loss, he levied a further contribution of ten thousand dollars on the same neighbors, and would have collected it, but General Thomas was appealed to, at Nashville, and stopped it.

He has thirty-nine signers to his good character; and if the same zeal was used to get signatures to his infamous character, your paper would not hold the names.

I was in the midst of the Federal army during the whole war, and never heard of his fighting; but his regiment was a terror to all good citizens. As a sample of his course during the war, I inclose copies of a couple of transactions with a clever widow living near Grand Junction, filed in our clerk's office, in settlement as administratrix:

~ GRAND JUNCTION, September 11, 1862.

~ Received of Mrs. V. Hunt, twenty dollars for bringing four negroes from Bolivar.

W. J. SMITH."

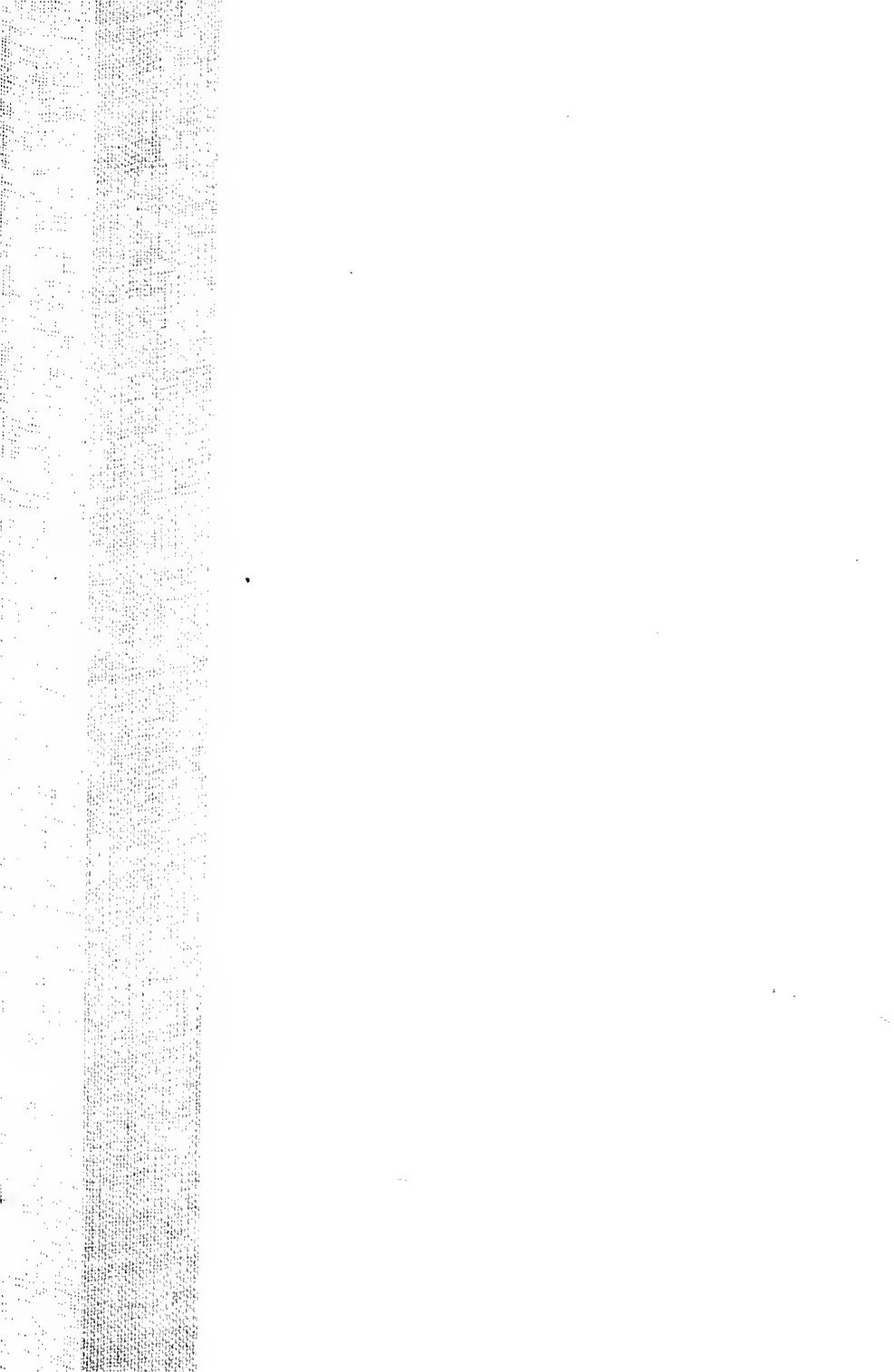
Bolivar was seventeen miles distant.

Col. Yeatman and Wm. H. Brown, merchants of your city, know me personally. Hon. Horatio King, late Postmaster-General, and Gen. C. C. Washburne, of Washington City, also know me.

Respectfully,

PITSER MILLER.





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